IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

I.T.R. No.74 of 1997
Date of decision: 02.11.2006

The Commissioner of Income Tax, Jalandhar.

-----Applicants

Vs.

Shri S.C. Nagpal, Malout.

-----Respondent

CORAM:- HON'BLE MR JUSTICE ADARSH KUMAR GOEL
HON'BLE MR JUSTICE RAJESH BINDAL

Present: Dr. N.L. Sharda, Advocate for the revenue.

ORDER:

Following question of law has been referred for opinion of this Court by the Income Tax Appellate Tribunal, Amritsar Bench, Amritsar, arising out of its order dated 30.11.1993 in I.T.A. No.217(ASR)/1993 in respect of assessment year 1987-88:-

> "Whether on the facts and in the circumstances of the case, deduction on account of expenses at the rate of 40 per cent may be allowed from the amount of incentive bonus received by the assessee as an employee (Development Officer) of the Life Insurance Corporation of India?"

We find that the issue stands covered in favour of the revenue and against the assessee by the judgment of this Court in ***B.M. Parmar*** **v.** ***C.I.T.*** (1999) 235 ITR 679. In our recent judgment dated 5.9.2006 in I.T.R. No.15 of 1995 (**The Commissioner of Income Tax, Haryana, Rohtak v. Kamal Kishore Batra DO, LIC, Kalanaur, Rohtak)**, we have answered the question in favour of the revenue and against the assessee.

Accordingly, the question referred is answered in favour of the revenue and against the assessee.

(ADARSH KUMAR GOEL)
JUDGE

November 02, 2006
ashwani

(RAJESH BINDAL)
JUDGE